

UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America

v.

SHON LEE STEPHENS

Date of Previous Judgment: September 27, 2005

(Use Date of Last Amended Judgment if Applicable)

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Case No: 2:05CR00081-01

USM No: 15613-097

David Porter, Assistant Federal Defender

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 92 months is reduced to *77 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23

Criminal History Category: VI

Previous Guideline Range: 92 to 115 months

Amended Offense Level: 21

Criminal History Category: VI

Amended Guideline Range: 77 to 96 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

* The defendant's previously imposed sentence of imprisonment of 92 months is reduced to 77 months on each count to run concurrently for a total term of 77 months.

Except as provided above, all provisions of the judgment dated 09/27/2005 shall remain in effect.

IT IS SO ORDERED.

Order Date: April 22, 2008



Judge's signature

Effective Date: _____
(if different from order date)

Lawrence K. Karlton, United States District Judge

Printed name and title